

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

ROBERT SANSOM,)	CASE NO. 1:10CV686
)	
Petitioner,)	JUDGE DAN AARON POLSTER
)	
vs.)	<u>MEMORANDUM OF OPINION</u>
)	<u>AND ORDER</u>
MARGARET BRADSHAW, Warden,)	
)	
Respondent.)	

Before the Court is the Report and Recommendation of Magistrate Judge Kenneth S. McHargh ("R & R") (**Doc. #. 27**), which recommends that Petitioner's 28 U.S.C. § 2254 petition for writ of habeas corpus (**Doc. # 1**) be denied.

Under the relevant statute:

Within *fourteen* days after being served with a copy, any party may serve and file written objections to such proposed findings and recommendations as provided by rules of court. A judge of the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.

28 U.S.C. § 636(b)(1)(C) (emphasis added). A copy of the R&R was mailed to Petitioner on September 27. It is now October 26, and Petitioner has yet to file any written objection to the R&R.

The failure to timely file written objections to a Magistrate Judge's R&R constitutes a waiver of the right to obtain a de novo review of the R&R in the district court. Id.; United States v. Walters, 638 F.2d 947, 949 (6th Cir. 1981). The failure to file written objections also results in a waiver of the right to appeal. Thomas v. Arn, 728 F.2d 813 (6th Cir. 1984), aff'd, 474 U.S.

140 (1985).

The Court has reviewed the Magistrate Judge's R&R thorough and well-written R & R. The Court agrees with the Magistrate Judge that Petitioner's claims are barred by the one-year statute of limitations. 28 U.S.C. § 2244(d)(1). Accordingly, the Court **ADOPTS** the Magistrate Judge's R&R (**Doc. # 27**) and **DENIES** the petition for writ of habeas corpus (**Doc. # 1**).

IT IS SO ORDERED.

/s/ Dan Aaron Polster October 26, 2011
Dan Aaron Polster
United States District Judge